

BOARD OF ADJUSTMENT REPORT



MEETING DATE: 12/7/2005

ITEM No. _____

ACTION REQUESTED: Zoning Ordinance Variance

SUBJECT

**Crompton Residence
(14-BA-2005)**

REQUEST

Request to approve a variance from Article V. Section 5.204.E.1.a regarding front yard depth and Article V. Section 5.204.E.1.c regarding the required front yard to be provided on both streets on a corner lot. The variance request is for two (2) parts: one relating to the building addition on the west side of the site, and the second pertaining to the addition of a portico along the south side. Both requests require a reduction in the required yard setbacks.



**OWNER/ APPLICANT
CONTACT**

Alison Crompton
480-922-9920

LOCATION

8270 E Windrose Drive, in the Villa Capistrano II subdivision.

**CODE ENFORCEMENT
ACTIVITY**

None, the proposed building additions do not currently exist and are the subject of the present request for a variance.

PUBLIC COMMENT

The applicant has sent notices to approximately 21 neighbors residing within 300 feet of the property. An open house was held on November 14, 2005. Two (2) people attended the open house, and had questions about the portico regarding landscaping and the matching of materials, colors and the existing roofline. Staff has received one phone call inquiring about the case. A letter of support has been received from the Villa Capistrano II HOA for approval of both the house addition and portico variances. No other public comment has been received on this case.

ZONE

Single Family Residential in a Planned Community District (R1-35 PCD). The land was annexed as R1-35. Case 70-ZN-1987 established the PCD designation on the 40-acre plat area in 1987. The zoning case established amended development standards allowing site walls greater than 3 feet in height to be located within the required front yard setbacks, and for corner lots to have setbacks of 15 feet. The PCD case does not affect this application. Case 19-PP-1986 approved the 40-lot Villa Capistrano plat in 1986.

ZONING/DEVELOPMENT CONTEXT	This site is surrounded by R1-35 zoned properties. The site is a corner lot and has frontage along Windrose Drive on the south side and is flanked by 82 nd Place on the west.
ORDINANCE REQUIREMENTS	Section 5.204.E.1.a Front Yard states, There shall be a front yard having a depth of not less than forty (40) feet. On a corner lot, the 40-foot front yard setback shall be provided on each of the street frontages. The requested variance is for a 3-foot setback reduction for the addition on the west side of the site and a 16-foot reduction for the portico along the south side of the site. The resulting setback will be for 37 feet on the west side and 24 feet on the south side of the site.
DISCUSSION	The subject lot is rectangular shaped and has frontage along both the south and west sides. The applicant is requesting to place an addition onto the west side of the house, which will require a 3-foot variance from 40 to 37 feet. Similarly on the south side of the house, the applicant is requesting to construct an open “portico” and curved driveway, which will extend 16 feet into the required front yard and requires a variance from 40 to 24 feet. The house presently contains a floor area of 3,500 square feet on the approximately 1-acre lot.
FINDINGS	<p>1. That there are special circumstances applying to the property referred to in the application, which do not apply to other properties in the District. The special circumstances must relate to the size, shape, topography, location or surroundings of the property at the above address:</p> <p>Addition: The applicant indicates that the lot is slightly irregularly shaped due to 83rd Place along the west side of the site, which curves to the northeast. This results in a 3-foot reduction in the allowable area to construct the addition and limits the option to construct the addition on this side of the lot. The proposed 15 by 73 foot addition would encroach a total of approximately 219 square feet into the setback. In order to adequately develop the addition, and due to the corner lot configuration and required 40-foot setback, a 3-foot variance is necessary, from 40 to 37 feet. The portion of the addition that would extend into the variance area is completely contained behind the 8-foot tall site wall, which will help screen views of the site from the street and adjoining properties.</p> <p>Portico: The applicant indicates the majority of homes in the subdivision have circular drives and porticos at the front entries of the homes. These features add to the attractiveness of the homes in this area. In order to add a portico to this home the will make it similar to other neighboring homes, a 16-foot building setback variance is requires reducing the front yard from 40 to 24 feet.</p> <p>Staff feels the applicant must make every effort to conform to required setbacks, including modifications to the building addition and portico to meet required setbacks.</p>

2. That the authorizing of the variance is necessary for the preservation of the privileges and rights enjoyed by other properties within the same zoning classification and zoning district:

The applicant indicates that the addition and portico will improve the visual appearance of the house and make it more closely conform to the standard of homes in the subdivision. The request will allow the home to be of better quality than currently exists and more closely reflect the styles and character of other homes existing in the area.

Staff notes that the setback requirements were established for the area prior to the development of homes occurring.

3. That special circumstances were not created by the owner or applicant:

The applicant indicates that the original developer went bankrupt and the majority of homes in the subdivision were built by other developers who built more expensive and nicer homes than the subject house. The Applicant is requesting the variance to bring the subject house into character with neighboring homes.

Staff notes that although different developers built the homes, many of these homes have similar conditions relating to lot size and proximity to adjoining streets and have complied with setback requirements.

4. That the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or the public welfare in general:

The applicant indicates the variance for the addition and portico will not block views of neighbors. The proposed improvements will enhance the property by making the home substantially more attractive than it is presently and will bring it more closely into conformance to the standard of adjoining homes. No objections have been received from neighbors.

STAFF CONTACT

Al Ward, Senior Planner
Report Author
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Tim Curtis, Project Coordination Manager
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ATTACHMENTS

1. Justification
2. Context Aerial
3. Aerial Close-up
4. Zoning Map
5. Photographs
6. Support Letter
7. Proposed Site Plan
8. Elevations

Justification for Variance for 3 foot extension to rear setback and Justification for Portico extension to front of home

Alison Crompton
8270 E. Windrose Drive
Scottsdale, AZ 85260
480-922-9920

1. Special Circumstances/conditions exist which do not apply to other properties in the district:

My home was one of the first built in this subdivision and was a model for what was intended to be a single builder development. My understanding is that the original builder went out of business and the rest of the neighborhood was developed over time by several custom home developers. As such, my home is one of the oldest, smallest, and least elegant within the subdivision.

I am attempting to add a 15 foot wide addition to the entire length of my home on the west side. This addition is necessary to provide additional bedrooms and living space to allow my 75 year old parents, who are in declining health, to move in with me. We need to be located under the same roof given their health considerations so a separate guest house on the property will not satisfy the needed modifications.

Additionally, but for separate consideration, I would also like to add a portico extension over a circular driveway at the front of the home. Only a few homes in the neighborhood do not have large circular driveways and many have very attractive porticos extending over their circular driveways significantly enhancing the front of their homes. Two of the homes with porticos are just across the street from my home on my West side.

2. Authorizing the variance is necessary for the preservation and enjoyment of substantial property rights:

My neighborhood is a self contained pocket of 40 homes. The neighborhood is essentially a circle with the single entrance being the only exit. My home is on the corner of the cul-de-sac extending into the circle. As such, the rear end of my property line is not straight but curved in to allow for the street to circle through the neighborhood. My home sits on close to an acre in size, which has its widest dimension on the southern side. Unfortunately, the west side lot line gradually tapers east slowly narrowing the width of the lot as one moves from the South side of the lot to the North.. At the Southern most corner of the home there is over 15 feet of available room to expand into before meeting the setback restrictions. This 15 feet of available space remains steady and available for approximately 33 feet as one moves north from the southern most line. At 33 feet, though, because of the slightly narrowing lot line, the setback restrictions very gradually and start to encroach on this

15 feet such that at the full 73 foot length, the available space has been eroded down to approximately 12 feet. Without the variance approval, I will have to modify the addition to neck back to 12 feet at the point of setback encroachment negatively impacting the consistent line of the addition and losing 120 square feet of living space.

The issue with the portico is that my garage extends forward from the front entryway and roof line by approximately 6 feet and sits exactly on the 40 foot setback.

Therefore, to build a portico wide enough to park a car under and still make the curve driving through it without running into the garage, the portico would have to extend at least approximately 16 plus feet beyond the setback.

3. Special circumstances were not created by the owner or applicant:

In considering where to put the addition, the choices were the east or west sides of my existing home. Due to the landscaping and construction decisions that were made prior to my purchasing the home in 1999, putting the addition on the east side is extremely complicated and impacting versus putting it on the west side of the property. To put the addition on the east side would require the destruction of the following mature landscaping –

(1) 40 ft tall box tree, (3) 15-20 ft tall yellow teacup oleander bush trees, (3) mature citrus trees, (7) mature bougainvillea, (4) traditional oleander bushes, (1) honeysuckle bush, and (3) privet bushes, and a garden.

It would require the displacement of the following –

4 ton air conditioning unit, an air exchanger and closet housing it, natural gas meter and natural gas pipe inlet to home, APS electrical meter and box plus 2 large circuit breaker boxes for the home, Pool pump and large DE filter, Cox cable utility boxes for digital phone, TV, high speed internet, and cable, irrigation controller, 6 timer boxes that control assorted yard lights, yard fountain, and pool cleaner, 3 in-ground valve boxes containing all the valves for the irrigation system, and the water spigot for the hose in that area.

It would require displacement of a large wooden play set with fort, 3 swings, slide, and rings as well as a full size trampoline.

And lastly, the design would have to be abbreviated substantially to avoid a full size basketball sport court.

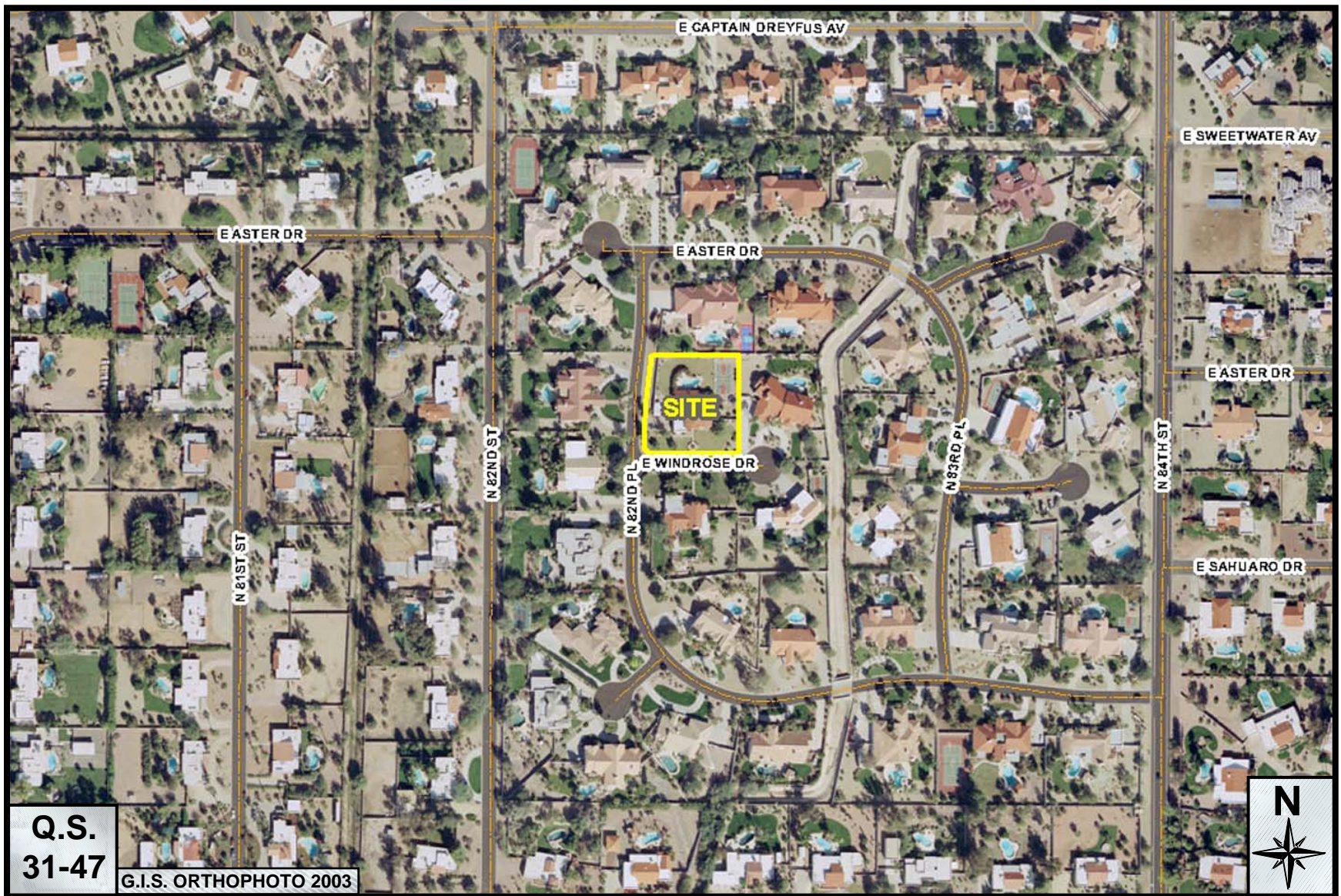
To put the addition on the west side of the home, the only things needing to be displaced would be a water spigot, 1 electrical outlet, and a 4 ton air conditioning unit. There are no plants whatsoever on the west side of the home where the addition could go.

Authorizing the variance for the portico will allow the visual presentation of my home to be in line with the others in the neighborhood. As stated in question 1 concerning the bankruptcy, lots were acquired by a variety of custom builders and much more expensive and nicer homes than mine were subsequently built on those lots. The addition of this portico is important to me both economically as well as personally to improve my home to be equitable with the surrounding neighborhood.

4. Authorizing the application will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or to the public welfare in general:

With the addition as planned on the west side, it is entirely within the existing vertical envelope of the existing house. As such, my west side neighbor's view will be identical to what it is today. Additionally, he is on the HOA Design Review Committee who has already reviewed this plan and has approved it. My east side neighbor will not see it whatsoever. My south neighbor will see the fifteen foot addition which is within the setbacks and not part of this request. My north neighbor will barely see the addition as his view is mostly obstructed by his own trees and landscaping. The 3 foot variance request impact to them will only be to empty sky. This 3 foot variance is essentially imperceptible from the street and is entirely contained within my backyard. It is approximately 21 feet within my yard which is contained at that point by an 8 foot wall. As far as impacting the neighborhood, this addition actually will positively impact the neighborhood by bringing my home value more in line with the majority of the homes in the area. My current square footage is 3500 sq ft. The majority of the homes in this subdivision are in the upper 4000 and 5000 sq ft.

With respect to the portico variance request, as I am on the corner of a cul-de-sac, this extended portico will not block any of my adjacent neighbor's views. My neighbor to my east doesn't look at my house from their front windows at all. My neighbors to my west will not even see it as their view is already obstructed by trees. The neighbor directly across from me on the south side who looks directly at the front of the house will not have any of the existing view obstructed as it is the same height as what is already there. The neighbor diagonally across from me on the south east side will just see house and sky which is all they see now. In fact, this enhancement to my home would actually be more attractive than what my home looks like right now. With respect to the neighborhood, this addition will actually improve the visual appearance of my house bringing it up to the standard of homes around me. The HOA Design Review Committee has agreed that the addition of the portico would be an enhancement to the home and neighborhood but has reserved the right to approve the final design if and when the City of Scottsdale decides if they will grant the portico setback variance.



Crompton Residence

14-BA-2005

ATTACHMENT #2



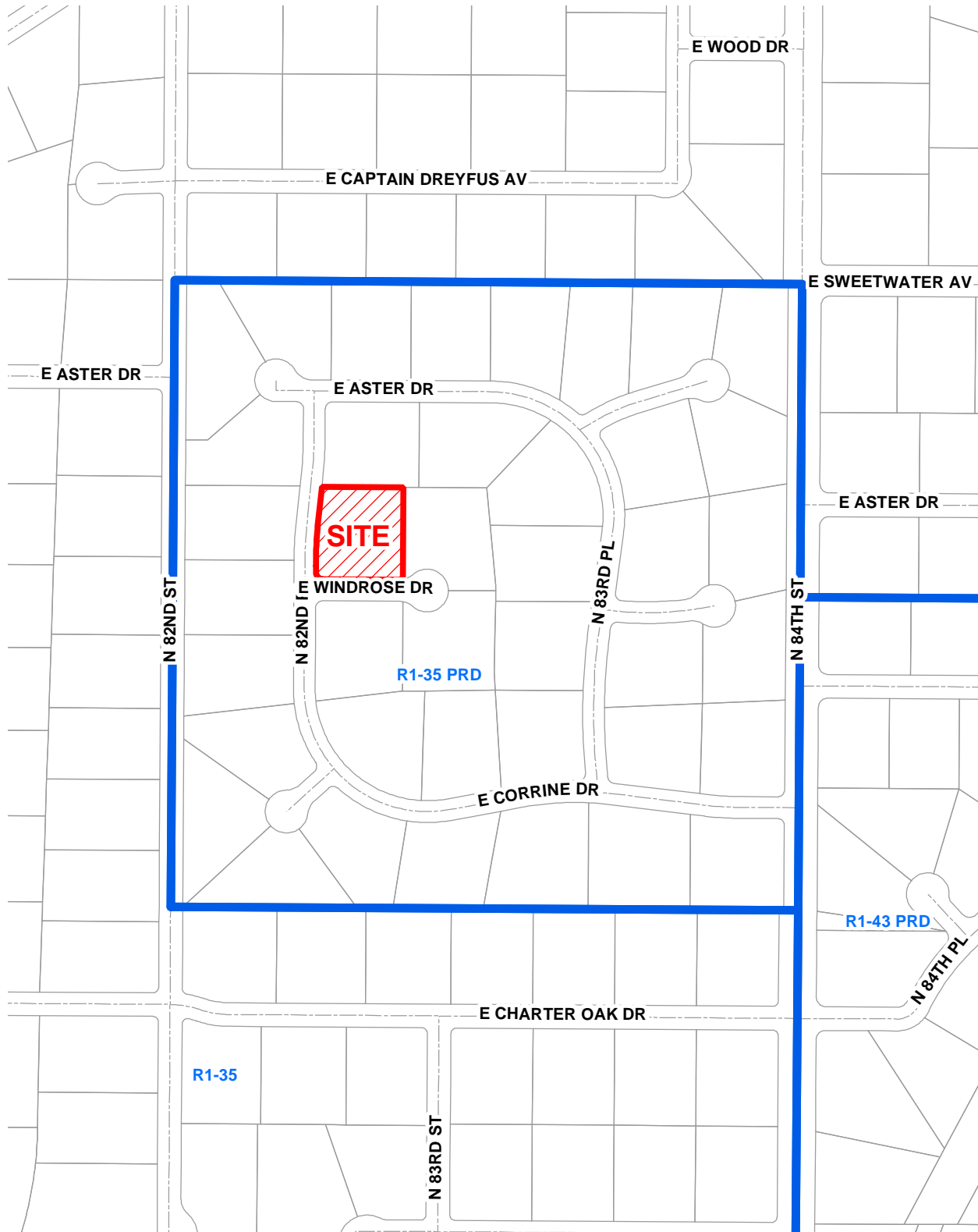
Q.S.
31-47

G.I.S. ORTHOPHOTO 2003

Crompton Residence

14-BA-2005

ATTACHMENT #3



14-BA-2005

ATTACHMENT #3

I



ATTACHMENT #5

A photograph of a wall-mounted electrical meter and associated wiring. Hand-drawn black arrows point to three specific areas: the top of the meter, the junction where the meter meets the wall, and a bundle of wires on the right side of the meter. The meter is a white, rectangular device mounted on a light-colored, textured wall. To the right of the meter, there is a bundle of black and white wires, some of which are bundled together with black tape. A black pipe runs vertically along the wall to the right of the meter. The image is oriented horizontally, but the wall and meter are vertical.

- ~ natural gas
- ~ adding on East side
- ~ irrigation controller
- ~ pool, fountain timers
- ~ coax cable, phone, TV
- ~ circuit breaker boxes
- ~ 5 extra circuit boxes for Xmas decorations

APS
meter + box

Valve
box

40 ft box
tree





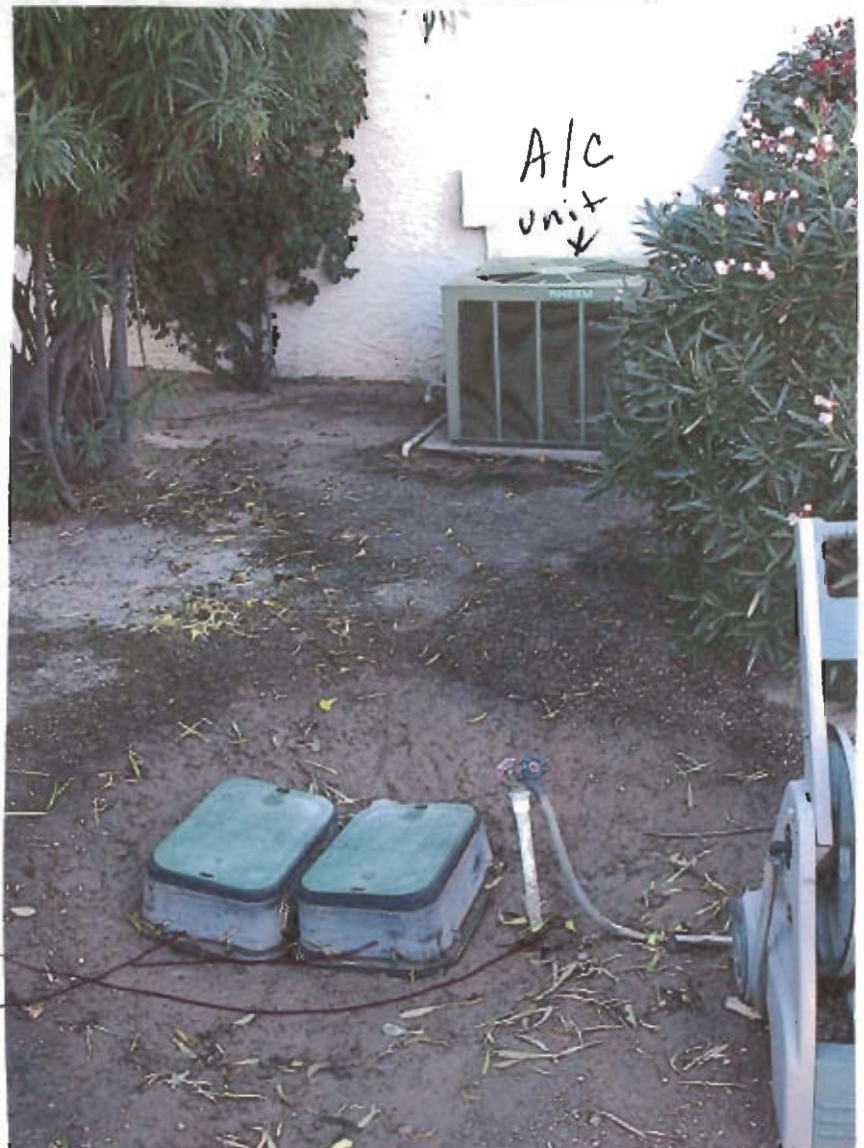


mature landscaping
wooden playset &
trampoline

Alison Crompton
8270 E Windrose Dr.
Variance Request

Pictures of ^{Back yard} East Side
of yard showing
complications and
difficulties of adding on
East side

Waterspigot
2 Valve boxes





Alison Crompton
8270 E. Windrose Dr
Variance Request

Backyard East Side



Citrus trees

20ft tree

Pool pump
filter
cleaner

full sport court



Air exchanger
in closet

15' tree

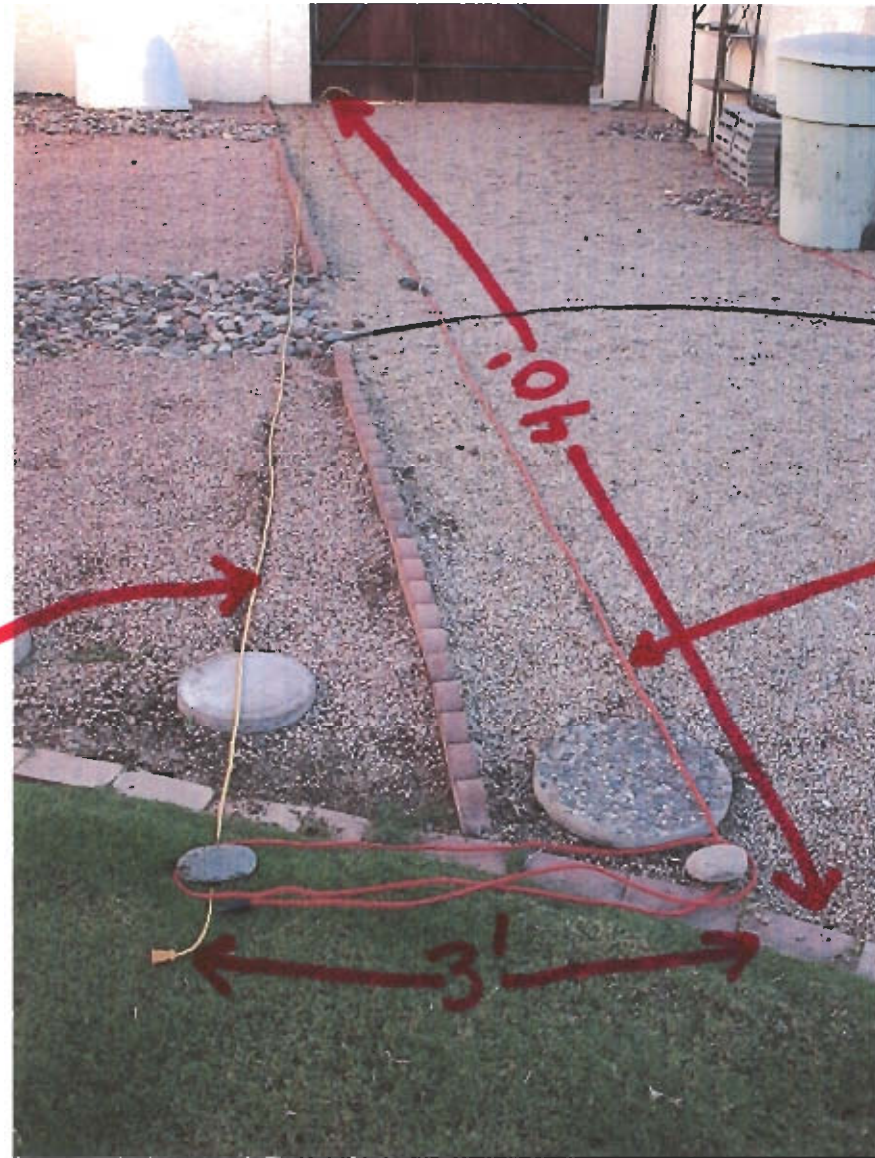
A/C
unit

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8270 E. Windrose Drive
Scottsdale, AZ, 85260

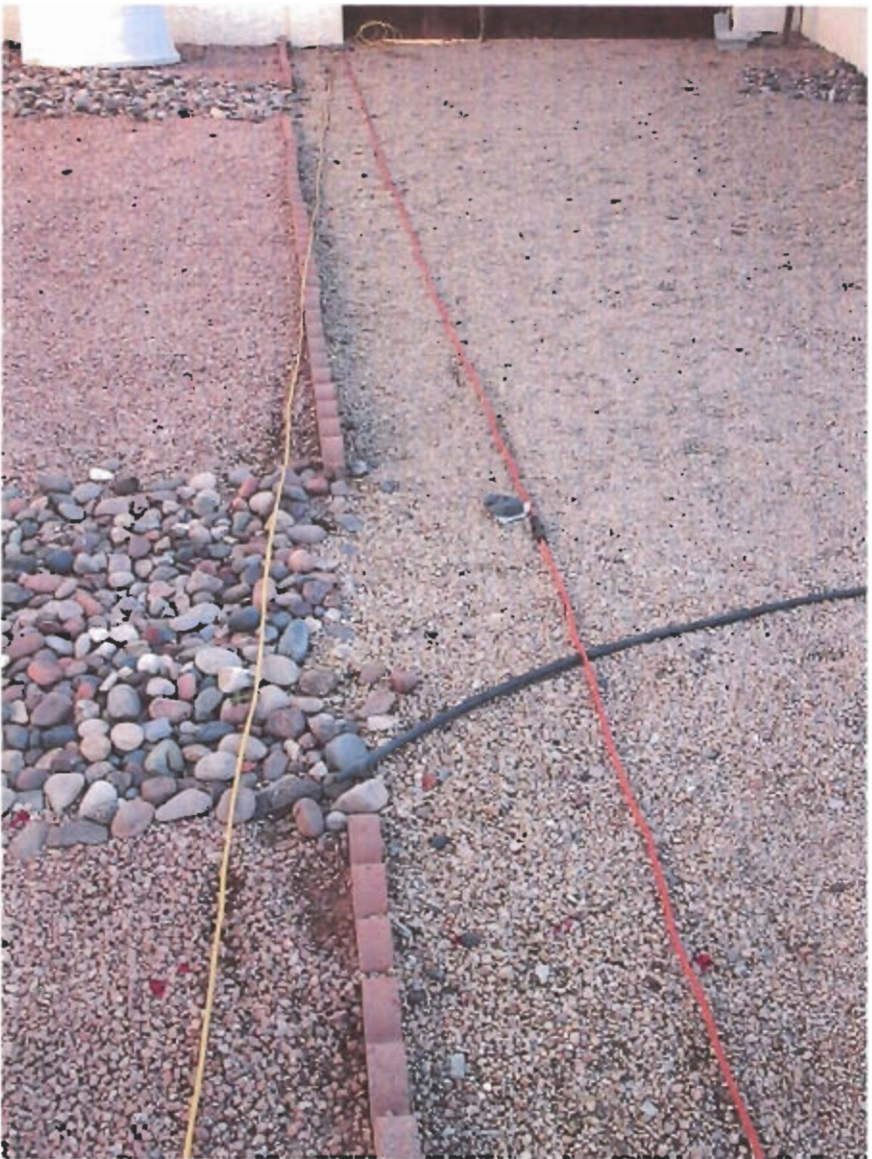
Picture 1 of 6

Variance Request 1

house line
forced eastward
by narrowing
lot line



new house
line if
variance
was approved



Allison Crompton
8270 E. Windsor Drive
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Picture 2 of 6
Variance
Request 1



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8270 E. Windrose Drive
Scottsdale, AZ 85260

Picture 3 of 6
Variance
Request
2



Alison Crompton
8270 E. Windrose Drive
Scottsdale, AZ 85260

Picture 4 of 6
Variance
Request 1



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Picture 5 of 6
Variance
Request 1



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Picture 6 of 6

Variance
Request 1

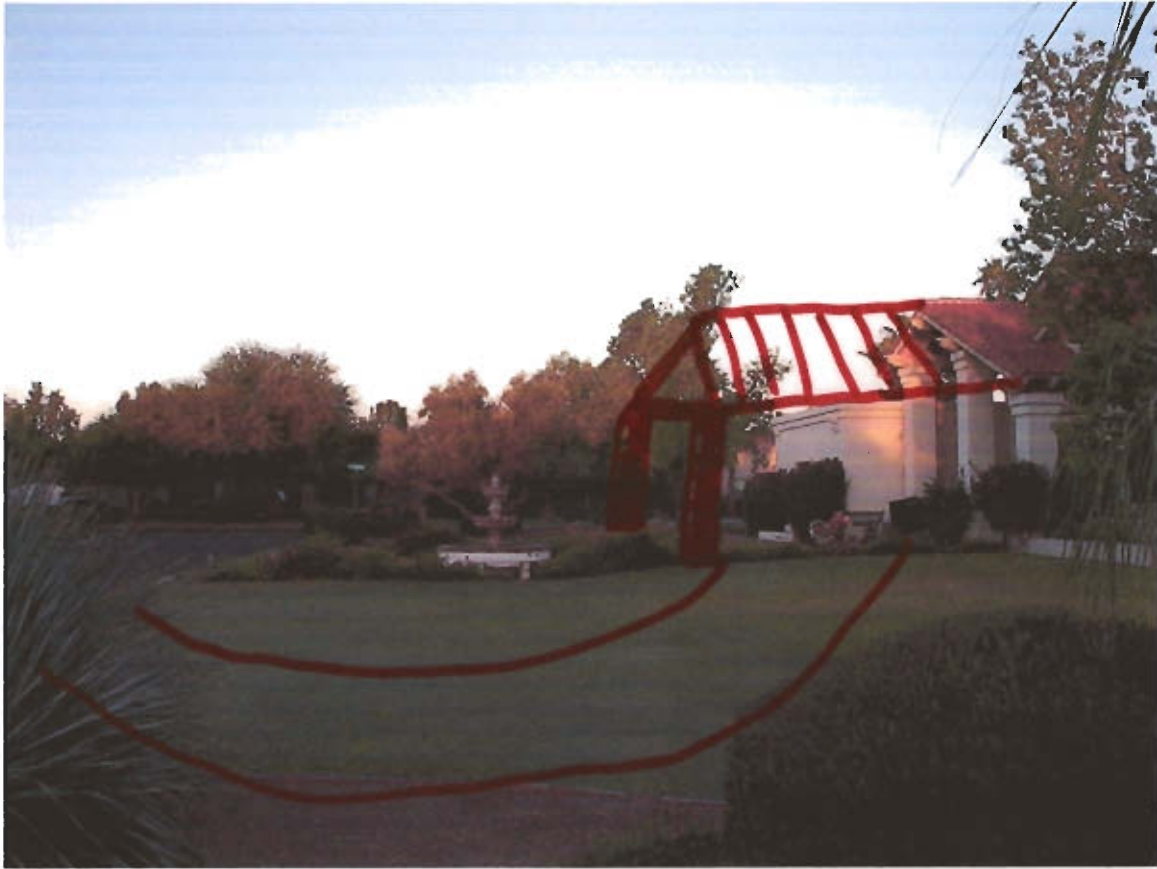


Plan would be to extend this roof line forward as the Portico extending over the circular drive. I would mirror the 2 outer columns visible ~~here~~ here up against the house on the opposite side of the ^{circular} driveway to support the portico. As the existing fountain & lantana is NOT centered in front of roof extension, they would be removed or repositioned.

Alison Crompton
8270 E. Windrose Drive
Scottsdale, AZ 85260

14-BA-2005
11/7/2005

Variance
Request 2
picture 1 of 6



Portico extension - View from East Side, East side neighbor faces street, not my home

Variance Request 2

Picture 2 of 6

Alison Crompton
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Scottsdale, AZ 85260

14-BA-2005
11/7/2005



View from NW side neighbors.
Trees block view of Portico
addition

Variance Request 2
Picture 3 of 6

Alison Crompton
8270 E. Windrose Drive
Scottsdale, AZ 85260



View from West side neighbors
Trees block view of Portico addition

Variance
Request 2

Picture 4 of 6

Alison Crompton
8270 E. Windrose Drive
Scottsdale, AZ 85260

14-BA-2005
11/7/2005



View of Portico extension from front
of house. No view will be blocked
for neighbor across street

Variance Request 2
Picture 5 of 6

Alison Crompton
8270 E. Windrose Drive
Scottsdale, AZ 85260

14-BA-2005
11/7/2005

Villa Capistrano II
HOA Design Review Committee

11/7/2005

To whom it may concern,

The Villa Capistrano II HOA Design Review Committee members met with Alison Crompton on 10/29/2005 to review her plans for a space addition to the west side of her home as well as the addition of a portico to the front of her home to extend over a circular driveway. In both instances the fact that these additions exceeded current setbacks and would require variance approvals was discussed.

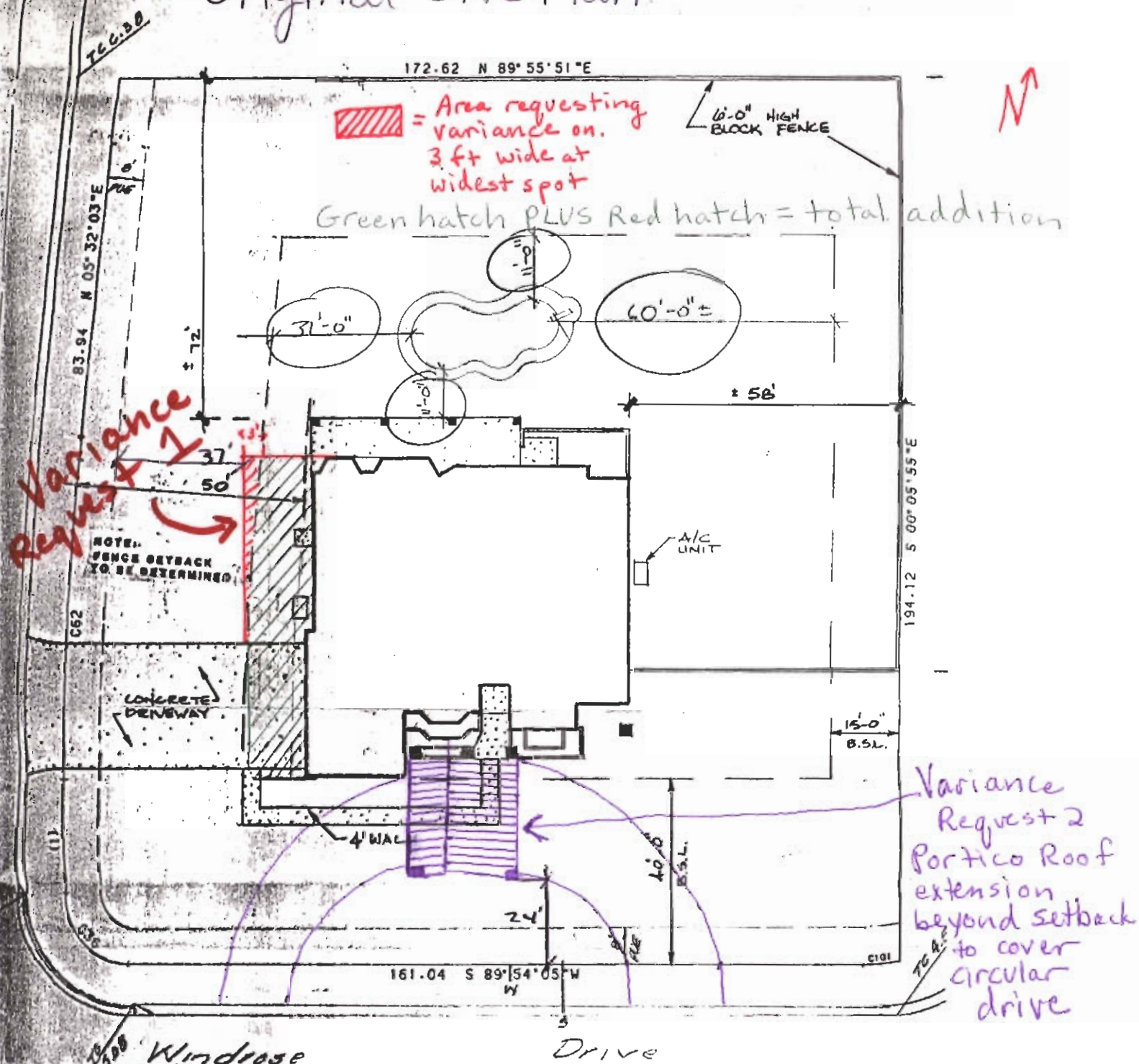
The Design Review Committee felt that both additions would enhance the property and have a positive impact to the neighborhood. We approved the 3 foot variance request on the west side with no concerns. The Design Review Committee agrees that the addition of a portico would be an enhancement to the front of the home as well as an enhancement to the neighborhood. We are reserving the right to approve the final design and width of the portico pending whether the setback approval is granted from the City of Scottsdale.

Sincerely,

Bob Sioles
Villa Capistrano II Home Owner's Association
Design Review Committee Chairman

14-BA-2005
11/7/2005

Original Site Plan



DIX CORPORATION

VILLA CAPISTRANO II

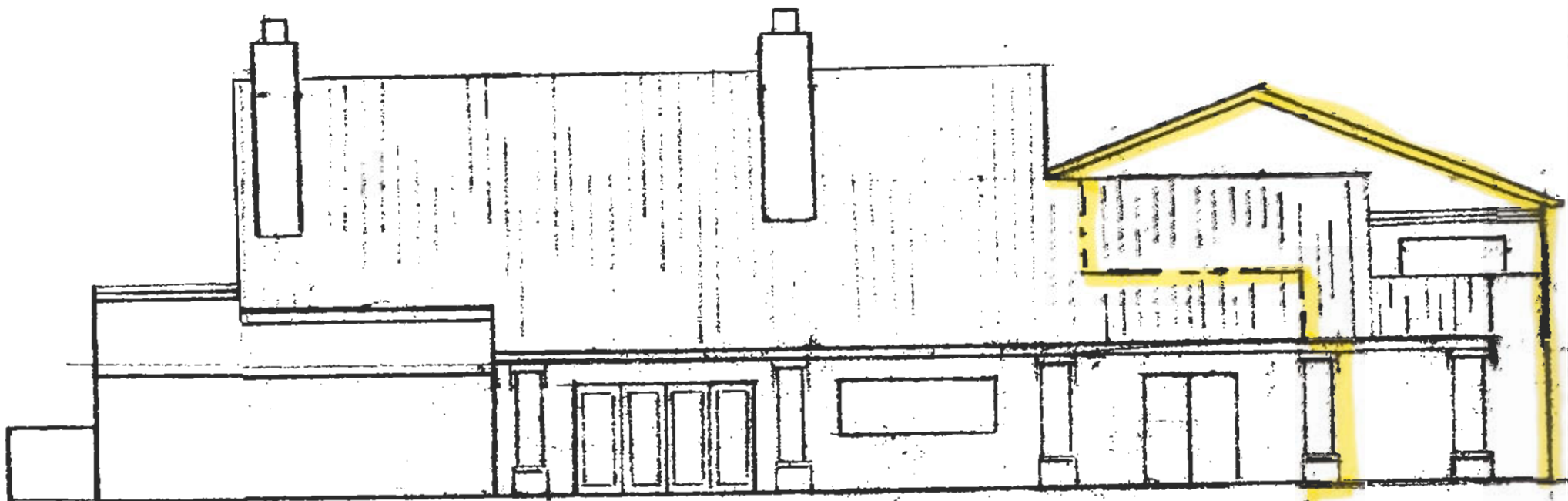
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N. Inoike
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14-BA-2005
11/7/2005

Alison Crompton
8270 E. Windrose Dr.
Scottsdale, AZ 85260

ATTACHMENT #7

LOT #35
Parcel #175-11-215
STREET # 8270 E.



NORTH ELEVATION

EXISTING

NEW

SEE SO. & WEST ELEVATIONS FOR DIMENSIONS & CONST

A. CROMPTON RESIDENCE
8270 E. WINOROSE
SCOTTSDALE, ARIZONA

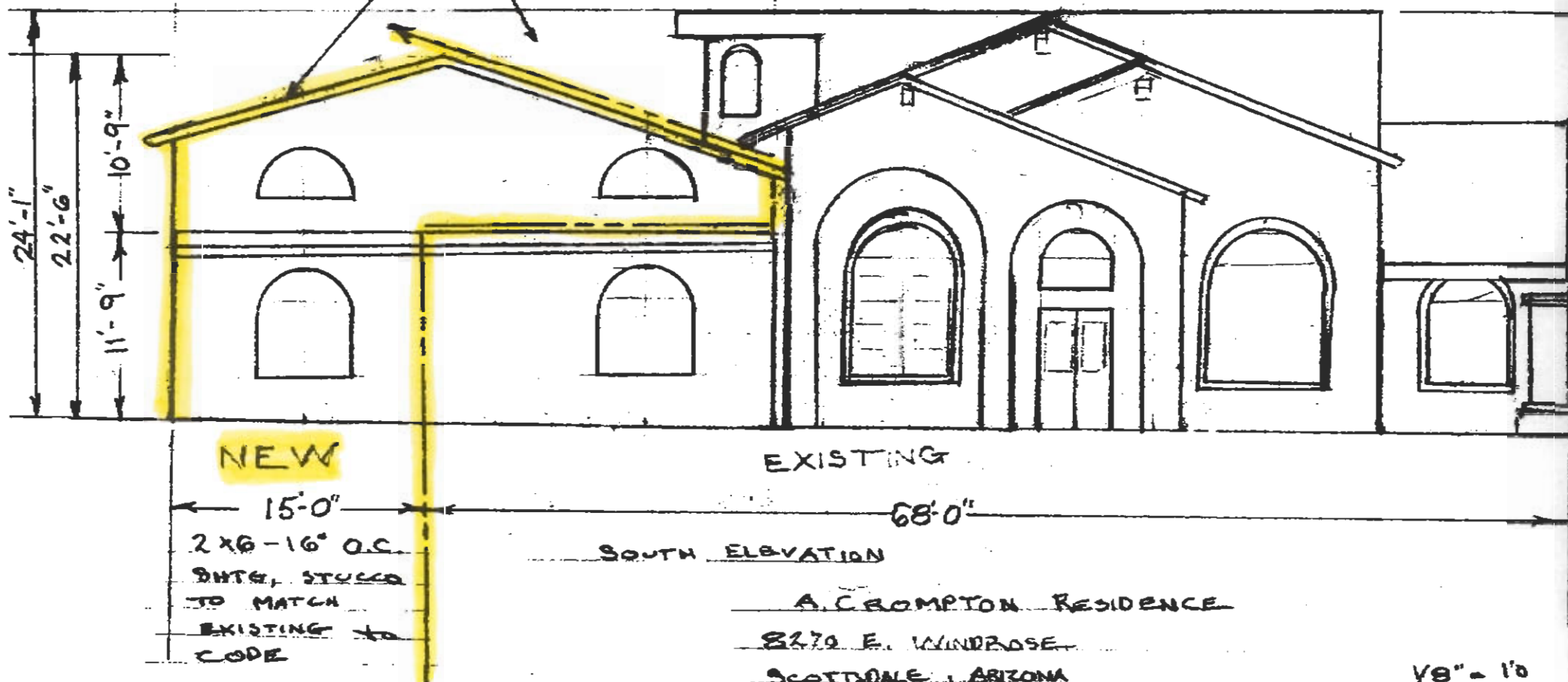
SCALE 1/8"=1'

11.05.05
EJU

14-BA-2005
11/7/2005

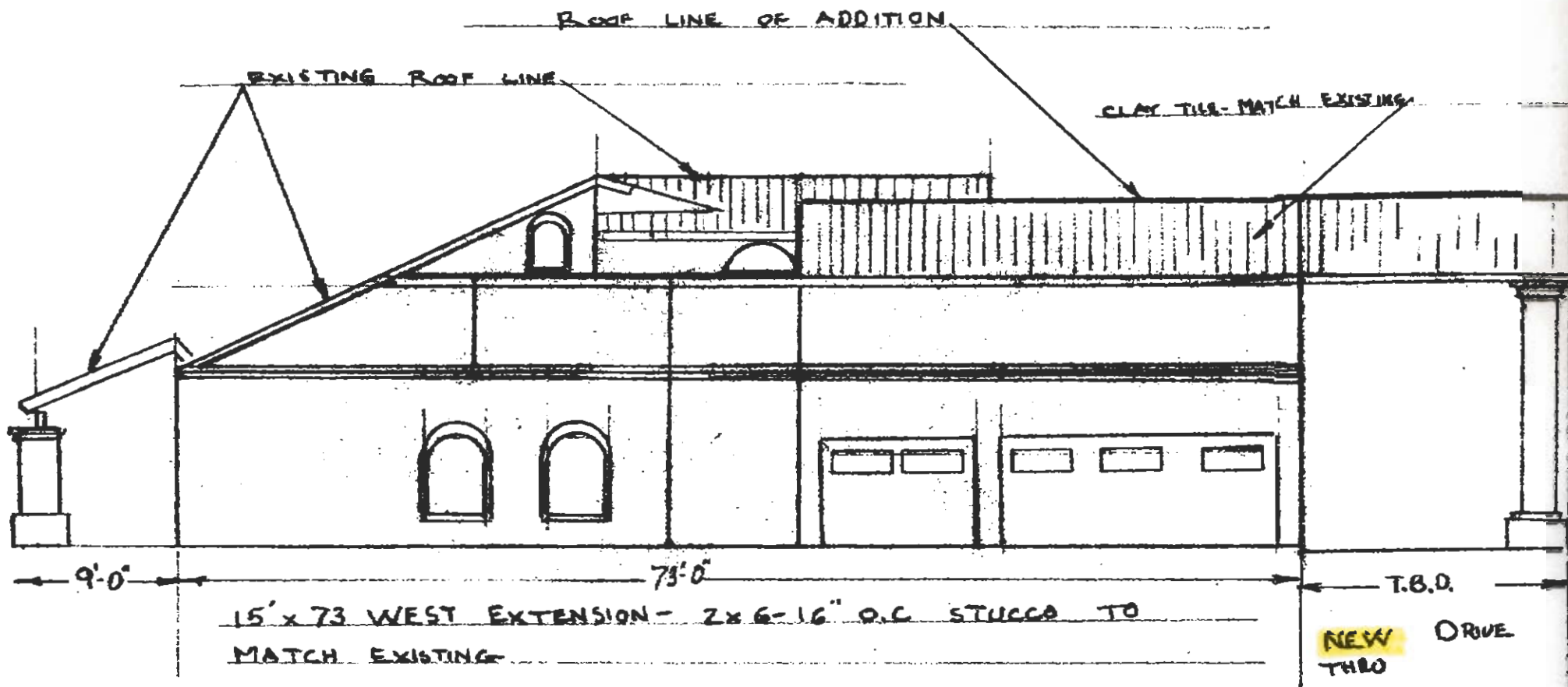
CLAY TILE ROOF

MATCH EXISTING



14-BA-2005
11/7/2005

VS" = 1'0
EJV 11.505



RESIDENCE - A. CROMPTON
 8270 E. WINDROSE
 SCOTTSDALE, ARIZONA

VB-1
 EIU 11.05.05

14-BA-2005
 11/7/2005